

# **EXHIBIT A**

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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

MAX HOME, LLC,

Plaintiff,

v.

JONATHAN LOUIS  
INTERNATIONAL LTD.,  
Defendant.

**Case No. 2:23-cv-05472-AB-MRW**

**Judge Andre Birotte**

**[PROPOSED] PATENT  
SCHEDULING ORDER**

**[Proposed] Patent Scheduling Order**

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, the following schedule is established for the above-captioned case.

1. The Parties held a Fed. R. Civ. P. 26(f) conference on November 17, 2023. The Parties propose this Patent Scheduling Order to incorporate deadlines for claim construction in this patent case. Generally, the Parties propose adopting the Patent Local Rules of the United States District Court for the Northern District of Georgia (“L.P.R., N.D. Ga.”).

2. No later than November 22, 2023, the Parties shall file a Rule 26(f) Report.

3. No later than January 5, 2024, Plaintiff shall make its Disclosure of Infringement Contentions under L.P.R., N.D. Ga. 4.1(a) and 4.4(a).

4. No later than February 5, 2024, Defendant shall make its Disclosure of Invalidity Contentions under L.P.R., N.D. Ga. 4.3 and 4.4(b).

5. No later than February 5, 2024, Defendant shall file its Response to Plaintiff’s Disclosure of Infringement Contentions under L.P.R., N.D. Ga. 4.2 and 4.4(b).

6. No later than March 6, 2024, the Parties will each exchange a list of claim terms, phrases, or clauses (including qualifications of a person of ordinary skill in the art at the time of the invention(s) of the patent(s)-in-suit) which that party contends should be construed by the Court, and identify any claim element which that party contends should be governed by 35 U.S.C. § 112(6), pursuant to L.P.R., N.D. Ga. 6.1(a).

7. No later than March 26, 2024, the Parties shall exchange a proposed construction of each claim term, phrase, or clause which any party has identified for claim construction purposes in a manner compliant with 35 U.S.C. § 112(6) and pursuant to L.P.R., N.D. Ga. 6.2(a).

8. No later than April 16, 2024, the Parties shall compete and file a Joint Claim Construction Statement pursuant to and in compliance with L.P.R., N.D. Ga. 6.3.

1           9. No later than May 1, 2024, the Parties shall complete all discovery relating  
2 to claim construction, including any depositions with respect to claim construction of  
3 any witness identified in the Joint Claim Construction Statement, pursuant to L.P.R.,  
4 N.D. Ga. 6.4(a).

5           10. No later than May 16, 2024, the Parties shall each serve and file an opening  
6 brief and any evidence in support of its claim construction, pursuant to L.P.R., N.D. Ga.  
7 6.5(a).

8           11. No later than the earlier of June 5, 2024, or 20 days after the filing of the  
9 opposing party's opening brief and evidence, each party shall serve and file its  
10 responsive brief and supporting evidence, pursuant to L.P.R., N.D. Ga. 6.5(b).

11           12. To the extent it believes is necessary, the Court shall at its convenience  
12 conduct a Claim Construction Hearing after the Parties have exchanged their responsive  
13 briefs, pursuant to L.P.R., N.D. Ga. 6.6.

14           13. The deadline for the fact discovery period shall expire on the later of the  
15 deadline set by this Court and under the Local Civil Rules or 45 days after the Court's  
16 claim construction ruling pursuant to L.P.R., N.D. Ga. 6.7 if there are fewer than 30  
17 days of discovery remaining at that time.

18           14. No later than the later of 30 days after the close of fact discovery or 30  
19 days after the close of discovery following a claim construction, the Parties will make  
20 their initial expert witness disclosures on the issues on which each party bears the  
21 burden of proof, pursuant to L.P.R., N.D. Ga. 7.1(b).

22           15. No later than 30 days after the Parties make their initial expert witness  
23 disclosures on the issues on which each party bears the burden of proof, the Parties shall  
24 make their initial expert witness disclosures on the issues on which the opposing party  
25 bears the burden of proof, pursuant to L.P.R., N.D. Ga. 7.1(c).

26           16. No later than 10 days after the Parties make their initial expert witness  
27 disclosures on the issues on which the opposing party bears the burden of proof, the  
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Parties shall make any rebuttal expert witness disclosures permitted by Fed. R. Civ. P. 26, pursuant to L.P.R., N.D. Ga. 7.1(d).

17. No later than seven (7) days after the deadline for making rebuttal expert witness disclosures, the Parties shall complete all expert witness depositions within 30 days thereafter, pursuant to L.P.R., N.D. Ga. 7.2.

18. No later than 30 days after the expiration of the period for expert witness depositions, the Parties shall serve and file all motions for summary judgment.

19. No later than the later of 30 days after the expiration of the period for expert witness depositions or 30 days after this Court rules on any motions for summary judgment, the Parties shall file a proposed consolidated pretrial order.

20. No later than the later of 30 days after the expiration of the period for expert witness depositions or 30 days after this Court rules on any motions for summary judgment, the Parties shall serve and file all Daubert motions to exclude or limit expert testimony.

21. This case is subject to being called for jury selection and/or trial on the later of 60 days after the resolution of all dispositive motions.

**SO ORDERED**, this \_\_\_\_ of \_\_\_\_\_, 2023.

Honorable André Birotte Jr.  
United States District Court Judge

Prepared by:  
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